



***The European Union's EIDHR Programme***

**DEMOCRACY LEARNING PUBLIC UNION**

**AZERBAIJAN**

**CURRENT STATUS OF THE STATE REGISTRATION OF NGOs**

**REPORT**

**on the survey results among NGOs**

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## Introduction

Freedom to unite and its effective implementation by citizens plays a role of critical element for the democracy based on political process and interaction. People get together to establish different public associations and groups of interest and influence. They are involved in developing and implementing policy and programs that impact their lives. They provide a feedback on common interests to the public and contribute to raising the public awareness and attaining positive social, economic and political changes. In this regard, NGOs act as a leading part of civil society to promote the rights of citizens to unite by creating opportunities for citizens to be involved in public and national governance without any political power.

A number of international documents provide guidelines and hold the nations responsible to support NGO development and public engagement. At the same time, the governments possess the mechanisms that adjust establishing NGOs, their state registration, efforts, management, and accountability that are used as a leverage to impact NGOs in a number of cases.

Official reports say that there are 2600 some NGOs registered officially in Azerbaijan. However, the confirmed data indicates there are about 1000 NGOs that are not registered with the state. Both registered and unregistered NGOs face with serious violations, foot dragging, multiple and baseless denials for the registration. One of the main factors that impedes initiatives by citizens to establish NGOs in Azerbaijan and protract civil society development is an issue of the registration. Complexities of legislation for NGOs to register with the state, wrong application of laws in a number of cases and irrational mechanisms to protect the rights necessitate reforms in this area.

This report reflects on survey results that identified shortcomings with regard to the state registration of NGOs. The report includes the following parts:

- Legal framework that adjusts the state registration for NGOs;
- Statistics related to the registration of NGOs;
- Statistic results of the survey among the NGOs;
- Conclusions.

In terms of specifics of registration-related problems, their scope, range, nature of shortcomings, communication with the registration office and bringing clarity to the current status of legislative execution, conclusions drawn by the survey are critical. We trust that survey conclusions will provide legal and practical guidelines to eliminate the state registration problems. One of the goals of the survey is to help provide necessary expertise to the citizens in terms of the registration process, identify and implement qualified legal assistance forms.

Survey results are based on data analysis of the state registration legislation for the legal entities, international practices, official survey and interviews conducted among Azerbaijani NGOs in march and april of 2011.

## **I. METHODOLOGY**

The survey was conducted among 100 NGOs to assess the status of the state registration for NGOs. The survey involved both Internet and one-on-one interviews. In general, 200 NGOs were requested to join the survey by submitting the survey questionnaires. Only 100 NGOs completed the survey questionnaires. The survey was conducted in virtue of one-on-one interviews with NGO founders and leaders using 25 questions. 20% of respondents replied to the survey questionnaires using Internet.

Mostly, those dealing with the registration office over the past five years were selected to provide an accurate information. NGOs with a denied registration, returned paperwork, with no official response and NGOs operating since 2005 were selected for the survey. The associations represented Baku and 24 other regions in Azerbaijan. 49 surveyed NGOs are registered with the state and 51 NGOs have been denied to register.

Moreover, survey team looked into the registration paperwork by respondent NGOs and reply letters from the registration office. The survey team also took a stock of the feedback by specialists dealing with registration problems of NGOs and made a use of survey results obtained so far.

## II. LEGAL FRAMEWORK

### 2.1 Legal basis to establish NGOs

The right to unite for Azerbaijani citizens is addressed both in the national Constitution and in a number of international documents to which Azerbaijan is signatory to. Under the Article 58 of the Constitution of the Republic of Azerbaijan, each citizen has the right to union with others. Every citizen has the right to establish any union including political parties, trade unions and other forms of public associations or join the association. Association that seek to oust the legitimate government by force are prohibited.

Rules for NGOs and their work are governed by the Law on the state registry and registration of legal persons, Law on NGOs (public associations and foundations) and the Code of Civil Procedures of the Republic of Azerbaijan. In line with the Law on NGOs, public associations and foundations in Azerbaijan are identified as NGOs.

Public association – is a non-governmental organisation that is based on common interests among several individuals and/or legal entities that get together as a volunteer and self-governing association whose main work is non-profit and whose revenue is distributed among its members. Foundation – is a non-governmental organisation without membership established by one or several legal entities based on a volunteer property fee to pursue social, charity, cultural, educational and other public objectives that benefit the public.

In essence, NGOs belong to the category of legal entities that do not generate an income and share no revenue among the actors identified by the Code of Civil Procedures. Once they become a legal entity, NGOs obtain civil liabilities enshrined by law that keeps them responsible.

### 2.2 Rules for the state registration of NGOs

**Submission of paperwork to the registration office.** The paperwork shall be submitted to the Directorate of Registry and Notary of the Azerbaijani Ministry of Justice in order to acquire a legal entity status. Pursuant to Article 5 of the Law on the state registry and register of legal entities, the following documents shall be submitted for the registration: 1) application for the registration; 2) rules of the association; 3) decision on the establishment and rules approval; 4) a document that confirms the address of association; 5) document certifying the payment of the state fee; 6) if the founder is a legal entity – an notary certified copy of the state registration certificate (an excerpt from the state registry) and rules; 7) If the founders are private individuals, copies of their ID cards; 8) If founder (or founders) is an alien with a stay permit in Azerbaijan and he or she has no citizenship – document that confirms their stay permit; 9) In case of legal representation, copy of his or her ID card; 10) document certifying the payment of the charter capital to the foundations.

**Verification process of registration paperwork of NGO and time frames.** As a rule, the state registration of NGO shall be done within 40 days. Legal compliance of the application for the state registration and other documents to be attached is being verified by the registration office within 30 days. In exceptional cases, if there is a need for additional review, this period might be extended up to 30 days.

If the shortcomings that cause no denials are found in the paperwork for the state registration, the registration office returns it to the applicant and provides additional 20 days to eliminate them. Shortcomings that do not result in denials shall be identified at the same time and presented to the applicant for the purpose of their elimination.

Once the paperwork is verified or shortcomings identified in the paperwork are eliminated, the registration office shall inform the applicant in writing within 10 days about either certificate of the state registration or denial for the state registration (by referring to provisions in the legislation that cause the denial and providing justifications).

**Denial to do the state registration for public association.** Pursuant to Law on the state registration and the state registry of legal entities, the following cases can be used solely for the purpose of denial for the state registration:

- Contradiction between the paperwork and the Constitution of the Republic of Azerbaijan, the Law on the state registration and the state registry of legal entities, and other legislative acts;
- Contradiction between the goals/mission statement/form of work and legislation;
- Violation of legal requirements that protect company names or there is already a registered public association with a similar name;
- Failure to eliminate shortcomings identified by the registration office in the constituent documents within a specific period (20 days).

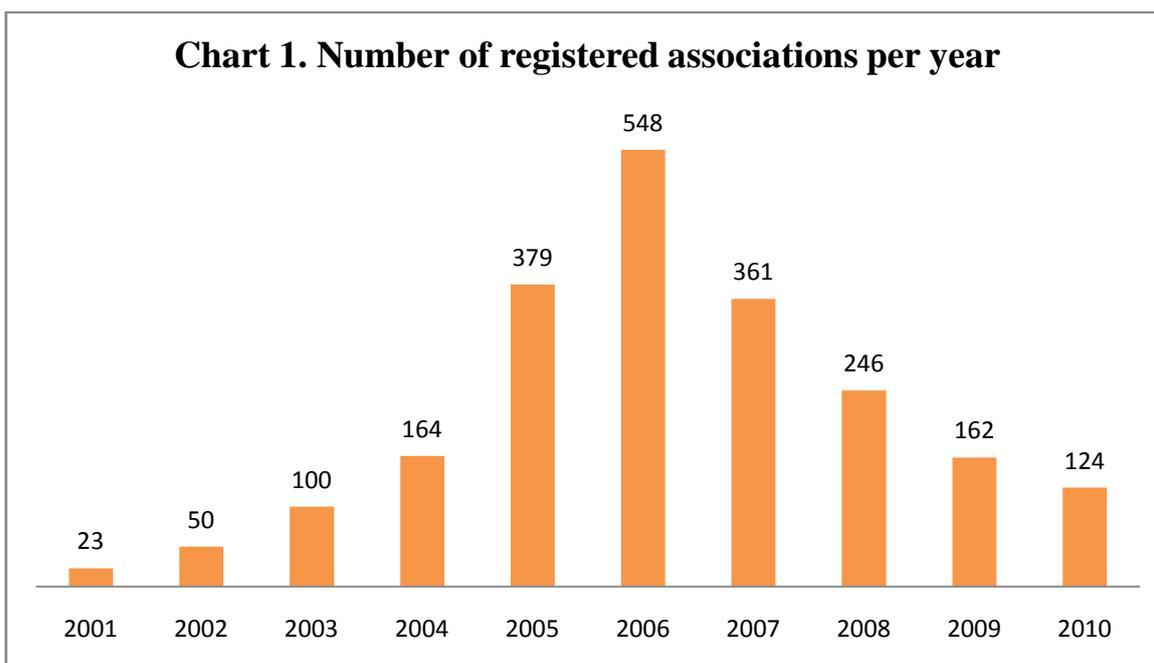
As for assumptions that establishing an association as a legal entity is not expedient, these claims can not be accepted with regard to the state registration and the state registry. Denial for the state registration of public association shall be appealed in an administrative order or via the court.

### III. STATISTICS RELATED TO THE REGISTRATION OF NGOS

There were 1109 registered NGOs in Azerbaijan in 1999. Based on the confirmed reports, another 133 NGOs operated without any registration at the time.<sup>1</sup> In 2002, the number of NGOs facing a registration problem reached 611.<sup>2</sup> Based on the confirmed reports again, there are currently more than 1000 NGOs that did not register with the state.

Reports released by the Ministry of Justice indicate the following information on the state registration of NGOs: 23 NGOs in 2001, 50 NGOs in 2002, 100 NGOs in 2003, and 164 in 2004. The rising curve for the state registration of NGOs in Azerbaijan lasted up to 2006 while seeing a sustainable decline between 2007 and 2010.

According to the information received by the State Council for NGO Support from the Ministry of Justice in February, 2010, the number of registered NGOs at the time was 2483. In reply to the request for information forwarded by Democracy Learning public association to the Directorate of Registration and Notary of the Azerbaijani Ministry of Justice, it is said that another 124 NGOs were registered with the state in 2010 (Chart 1). Thus, the number of officially registered NGOs in Azerbaijan reached 2600 by the end of 2010.



Analysis of NGO establishment in Azerbaijan and comparing an issue of the state registration with other post-soviet nations that experienced similar socio-political process in the near past lead us to draw interesting conclusions. The comparison of population with the number of existent NGOs in those nations was taken as a main indicator in this area. As we can see from the below table, in this regard, Azerbaijan lags behind the Eastern Europe

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<sup>1</sup> Third sector development in Azerbaijan, NGO Information Bulletin, 2000, Ed: 4, page 4

<sup>2</sup> OSCE, ICNL, Final report on monitoring project of NGO registration, Baku, 2002.

and Baltic nations for about 20 times. By staying behind the nations like Ukraine, Georgia, Armenia and Russia for a few times, Azerbaijan comes close to the Central Asian standards along these lines.

**Table 1.**

**NGOs in Eastern Europe and CIS nations<sup>3</sup>**

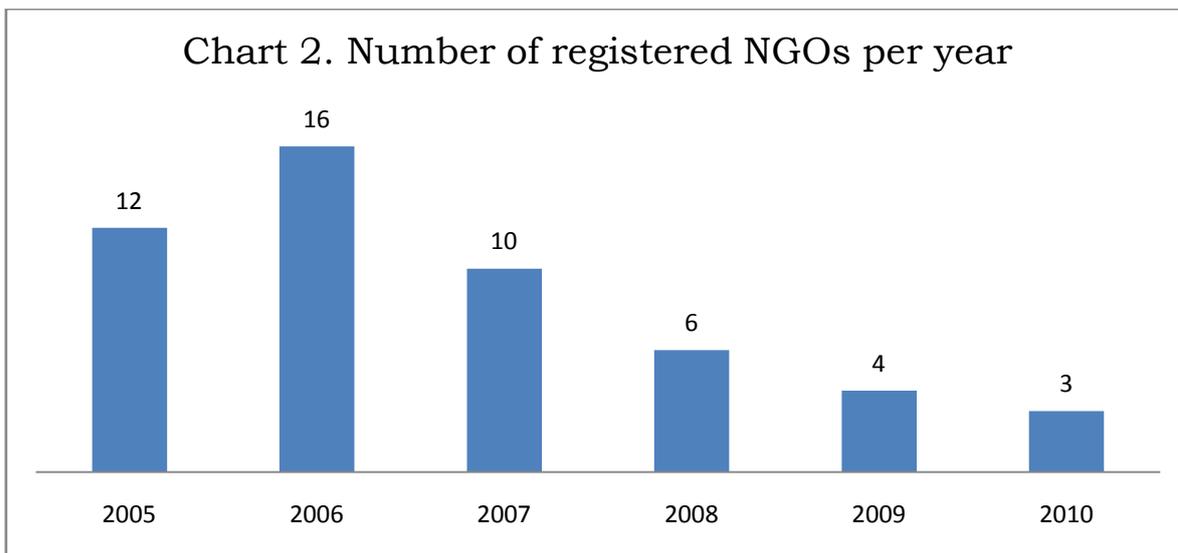
<b>Nations</b>	<b>Population</b>	<b>Number of NGOs</b>	<b>Number of NGOs per 10000 people</b>
<b>Azerbaijan</b>	<b>9 million</b>	<b>2600</b>	<b>3</b>
<b>The Czech Republic</b>	10,2 million	68000	<b>67</b>
<b>Hungary</b>	9,9 million	60407	<b>61</b>
<b>Slovakia</b>	5,5 million	33000	<b>60</b>
<b>Latvia</b>	2,2 million	11670	<b>53</b>
<b>Georgia</b>	4,6 million	10000	<b>22</b>
<b>Poland</b>	38 million	73000	<b>19</b>
<b>Russia</b>	140 million	220000	<b>16</b>
<b>Armenia</b>	3 million	4000	<b>13</b>
<b>Ukraine</b>	45 million	52000	<b>12</b>
<b>Kazakhstan</b>	15,5 million	7300	<b>5</b>
<b>Tajikistan</b>	7,5 million	2300	<b>3</b>

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<sup>3</sup> Source: USAID, NGO Sustainability Index in 2009

#### IV. RESULTS OF THE SURVEY AMONG THE NGOS

1. Half of the surveyed NGOs (51) are the associations that got registered with the state after 2005. As one can see on the chart 2, registration years with regard to the quantity dynamics of NGOs is in line with official reports. Survey results show that over the past 6 years, the number of registered NGOs has been declining from year to year. Official information on the number of NGOs requesting the state registration was unavailable.



Reports from surveyed NGOs indicate that unlike the steadily declining dynamics with regard to the registration issue, there was no shrinkage except for the number of associations established and applying for the registration for the first time between 2008 and 2010. For instance, those surveyed made their first application for the registration as following: 12% in 2005, 15% in 2006, and 15% 2007. This indicator declined by 10% in 2008 and reached 15% again in 2009. As for 2010, associations that were surveyed say those applying for the registration for the first time are 8%.

2. When it comes to a range of area, the status of NGO registration remains different. Although a number of local NGOs in the nation is low (7% out of surveyed), their vast majority (86%) have registered with the state. The level of registration among regional NGOs that constitute 35% is a little less (60%). The number of NGOs operating across the whole nation is 55%, but only 42% out of them are registered with the state.

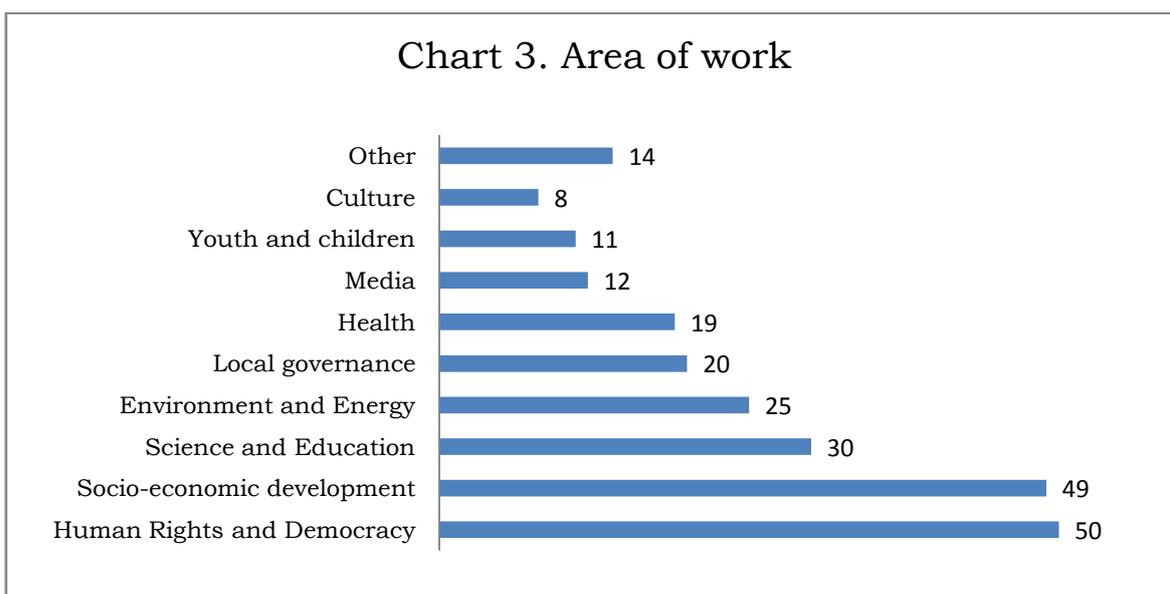
3. Most of registered NGO (57%) had to spend lots of time for the registration. (Table 2.) The first ever application for the registration for 20% of NGOs took about one year. 12% out of them spent 2 years, 8% of NGOs spent 3 years, 6% of NGOs spent 4 years and the rest part of 11% spent between 5 and 8 years for the registration. It is only 43% of NGO that could get the registration for the first 3 months once they were established. Mainly, these are cultural, tourism, environmental, child and youth NGOs. Moreover, most of these NGOs have submitted a letter of assurance from different executive bodies along with their

paperworks. The letter is not envisioned by the legislation as a requirement for registration at all.

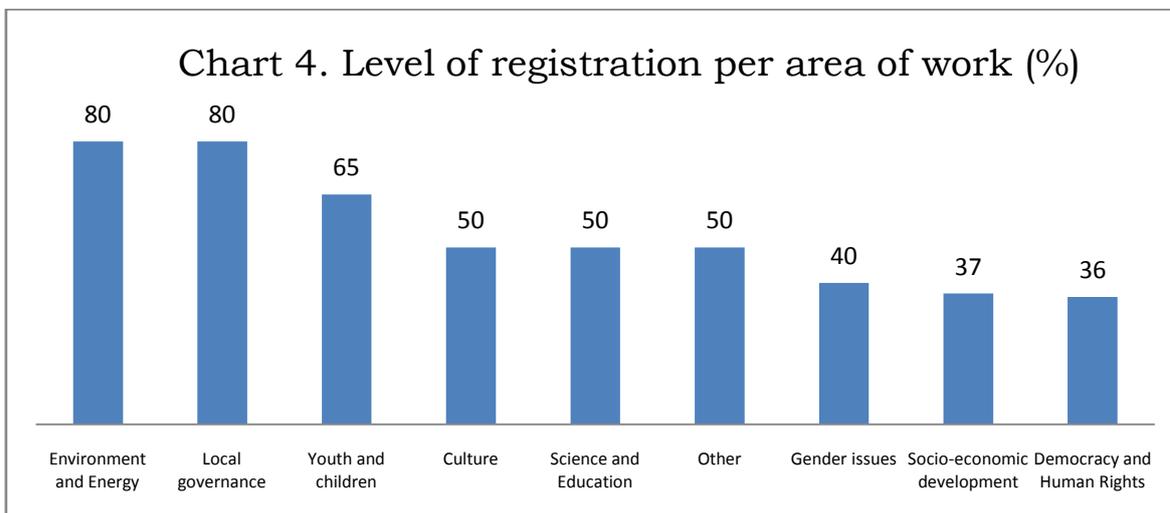
Time spent for the registration	Number of NGOs (%)
3 months	43
1 year	20
2 years	12
3 years	8
4 years	6
5 years	5
6 years	2
7 years	2
8 years	2

4. Half of the surveyed NGOs (i.e. 49 associations) are the unregistered ones that spent a few years after their first application for the registration. They operate without registration as following: 24% - 2 years, 16% - 3 years, and another 16% - 4 years. 32% of the unregistered NGOs spent from 5-11 years after their first application for the registration.

5. In reply to the question “In what area does your association operate?”, respondents had a few options to answer. 50% out of them indicated human rights and democracy and almost the same number (49%) mentioned social and economic development. 30% of the surveyed NGOs indicated science and education, 25% - environment and energy, 20% - local governance, 19% - healthcare, 12% – media, 11% – children and youth, 8% - cultural work. The rest part of 14% pointed to other areas. (Chart 3.)



The level of registration among NGOs based on their main work is strongly different as well. For instance, majority of the registered NGOs (80%) are those operating in local governance and environment. The number of registered NGOs that work on youth and children issues is 65%. Half of the associations operating in culture, science and education have the registration. Failure to get the registration is mainly attributable to NGOs dealing with human rights and democracy, social, economic and gender issues. (Chart 4.)

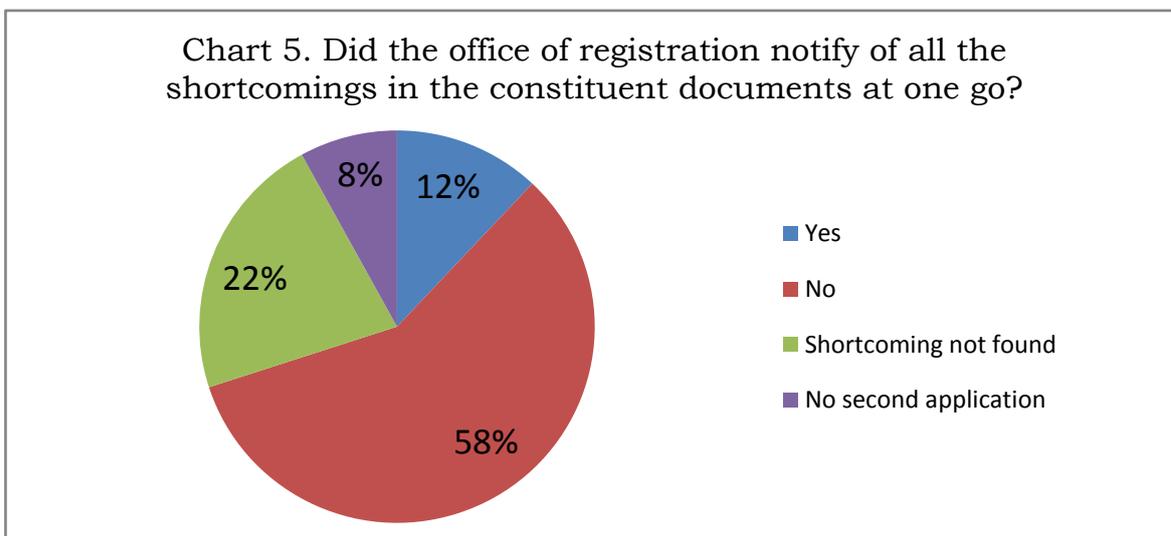


**6.** Information from respondents makes it clear that NGOs have to submit many requests to the registration office to get registered with the state. Only 22% of the surveyed NGOs got registered right after the first application. Large majority of NGOs applied to the registration office two and more times. 21% of NGOs applied for the registration twice with only 1/3 being registered at the end. 19% of NGOs applied to the registration office three times and more than half went unregistered. 30% of NGOs applied to the registration office four and more times (up to nine times) with only 43% being registered. (Table 3.)

Table 3.

Number of applications to the Registration office	Total number of NGOs	Registered	Unregistered
1	30	22	8
2	21	7	14
3	19	9	10
4	10	4	6
5	7	4	3
6	9	4	5
7	1	0	1
8	2	0	2
9	1	1	0
<b>TOTAL</b>	<b>100</b>	<b>51</b>	<b>49</b>

7. Pursuant to Article 8 of the Law on the state registration and the state registry of legal entities, no denial-related shortcomings shall be identified and forwarded back to the applicant for the purpose of their elimination. 12% of the surveyed associations refer solely to this requirement enforced by the office of registration. The Ministry of Justice found no shortcomings in the paperwork from 22% of NGOs. 58% of the respondents say that registration office always finds shortcomings in the paperwork. 8% of the surveyed associations did not go ahead with the second application for registration. (Chart 5.)

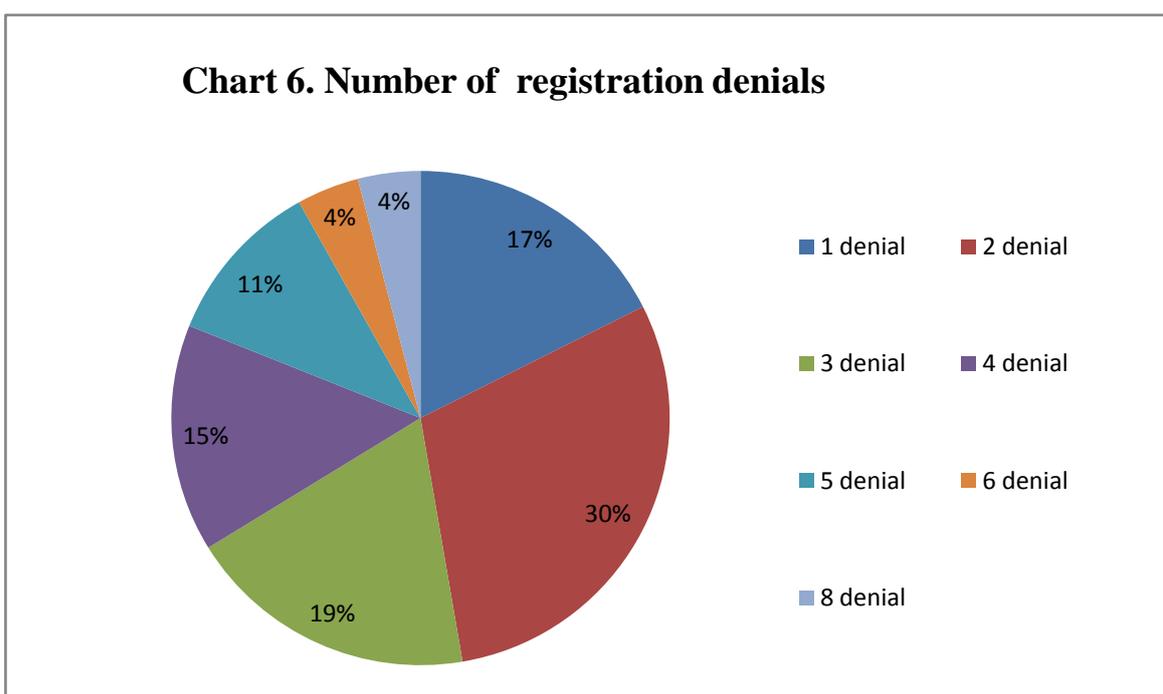


8. The analysis of denial letters to NGOs makes it clear that Azerbaijani Ministry of Justice responded to 74 associations by sending at least 180 denial letters for the registration. In these letters, the registration office generally mentioned 235 shortcomings in the registration paperwork. Majority of the shortcomings (84%) were related to the fact that rules and other constituent documents shall be drafted in line with the legislation. (Table 4.)

Grounds for denial to register	Number	%
Lack of compliance to the legislation of rules and other constituent documents	197	83.8
Contradiction between association’s goals/mission/form of work and legislation	24	10.2
Another NGO with the same name	8	3.4
Failure to eliminate identified shortcomings in constituent documents within 20 days	6	2.6
TOTAL	235	

72% of those applied for the registration said that in its reply letters, the Ministry of Justice justified the denials by pointing to the contradiction between the registration paperwork and legislation<sup>4</sup>. 23% of NGOs received denial letters because of the contradiction between goals/mission/form of work and legislation<sup>5</sup>. 7% of the surveyed associations could not get registered due to the similar name with other non-profit organizations<sup>6</sup>. As for 6%, they failed to eliminate shortcomings in the constituent documents within 20 days given by the registration office.

**9.** Most of the surveyed NGOs (74%) received several replies from the registration office under the different grounds not to register them. In this regard, the number of such NGOs is as following: 30% - 2 denials, 19% - 3 denials, 15% - 4 denials, 11% - 5 denials, and the rest part of 8% - 6 and more denials. (Chart 6.)



**10.** 53% of the surveyed NGOs received another 30 days extension from the registration office under the pretext of the need for additional review. They got official responses pointing out an additional review of their paperworks: 32% - twice and 9% - three times respectively. 56% of those receiving extension for paperwork review are the NGOs that went unregistered.

**11.** Only 26% of the surveyed NGOs mentioned a response letter from the registration office suggesting to eliminate shortcomings within 20 days. However, 38% of the associations have not yet been registered.

<sup>4</sup> “Law on the state registration and the state registry of legal entities”, Azerbaijan, Article 11.3.1

<sup>5</sup> “Law on the state registration and the state registry of legal entities”, Azerbaijan, Article 11.3.2

<sup>6</sup> “Law on the state registration and the state registry of legal entities”, Azerbaijan, Article 11.3.4

**12.** A part of NGO founders said that they had received different informal recommendations from the office of registration to secure the state registration. They were recommended to change their names (25%), goals and mission (13%), and scope of activity (11%).

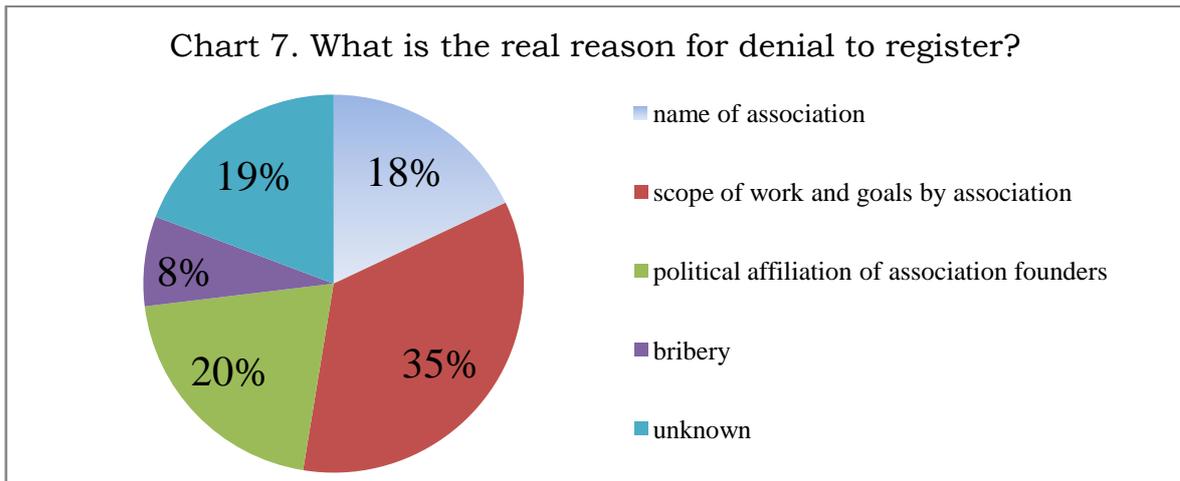
**13.** Table 5 (below) reflects on 6 NGOs that applied to the registration office several times and received responses for their applications. The responses make it clear that Ministry of Justice has mainly identified shortcomings in the paperwork as following: lack of compliance between some rules of the associations and the legislation; or failure to incorporate relevant legislative requirements to the rules; failure by founders to sign constituent documents; failure to provide the right information about its founders; failure to certify some documents via the notary; failure to submit some documents and etc. This type of shortcomings requires very slight amendments and they can be easily eliminated. While the registration office shall identify the shortcomings at one go, it identifies them after several extensions (each extension is 30 days) for the paperwork verification.

Table 5.						
Responses from MoJ	Example A	Example B	Example C	Example D	Example E	Example F
First response	Founders did not indicate the issue date of their ID cards in the application.	Rules did not address the issue of property if the association get closed;  Minutes of the constituent meeting presented in lieu of the decision	Rules did not specify if the association is set up for short or long-term purpose;  Document related to the legal address was not certified by the notary	Rules do not indicate the legal address of association;  Provisions about founders are not available in the rules.	Application for the registration was not certified by the notary.	Notice about the establishment of association was submitted 30 days after making the establishment decision
Second response	Rules do not specify terms of office for NTK?.	Paperwork verification time for the NGO was extended for another 30 days.	Application was not certified by the notary; Rules were not signed by all the founders;  Rules shall be adjusted in line with the Law on Accounting		Rules did not address the responsibilities by vice-chairman.	Paperwork verification time for the NGO was extended for another 30 days.
Third response	Minutes of the constituent meeting presented in lieu of the decision.	Founders did not attach copies of their ID cards;  Rules do not provide a job description for the vice-chairman.	In the application for the registration, one of the founders indicated his father's name different from what he has on his ID card	Application was not certified by the notary	Constituent protocol was not signed by all the founders	Application for the registration was not certified by the notary;  Application was not signed by all the founders

Forth response	The document certifying the payment of the state fee does not indicate the association name.	Paperwork verification time for the NGO was extended for another 30 days.	Addresses indicated in the rules and letter of consent are different from the ones indicated in ownership document.	Decision for the rules approval shall be submitted, not the minutes;  Rules did not address the range of activity.	Copies of ID cards from founders were not enclosed	Paperwork verification time for the NGO was extended for another 30 days.
Fifth response	Rules did not correctly address the authorities of the General Session.	Rules did not correctly address the shutdown of the association;  Name of one of the founders and his ID card number are not correctly indicated.		Rules did not indicate the scope of cross roles and responsibilities for founders.	Rules shall replace “termination of work” by the with association with provisions saying “shutdown of work” by the association.	Notice about the establishment of association was submitted 30 days after making the establishment decision.
Sixth response		Paperwork verification time for the NGO was extended for another 30 days.		“Termination of work” by the association shall be replaced by “shutdown of work” by the association.	It did not say if it is set up for short or long-term purposes.	The state fee for the registration of association was transferred to the wrong account.
Seventh response		ID card of one of the founders is not valid				Provisions related to association members were in contradiction with the law.

**14.** The question “Do you find the denial for the registration reasonable?” was responded by 78 NGOs. 73% out of them believe that denial from the Ministry of Justice is illegitimate and based on bias assumptions. Only 17% out of them did agree that their paperwork for the registration contained shortcomings. 10% of the NGOs said they were not sure if the denial for the registration was reasonable or not.

**15.** NGOs believe the real reasons for denial to register are as following: 18% - name of association; 35% - scope of work by association; 20% - political affiliation of association founders; 8% - bribery. 19% of NGOs say they are unaware of the reasons. (Chart 7.)



**16.** 36% of the surveyed NGOs say Ministry of Justice abides by the timelines enshrined by law to provide response for the registration request. 56% of NGOs say the registration office provides tardy replies, 5% of NGOs say they got no response at all, and 3% of NGOs say that their paperwork for the registration was not accepted.

**17.** 40% of the surveyed NGOs say they were requested to provide documents that are enshrined by the legislation. 9% of NGOs say they were requested to provide information about founders’ experience, previous work and political affiliation (56% of such NGOs went unregistered), 35 of NGOs say they were advised to submit a letter of assurance from the executive committee (46% of such NGOs got registered). 12% of the surveyed NGOs say they were offered to pay bribes to get registered and less than half of them were registered.

**18.** Surveyed NGOs were asked to assess different aspects of work by the registration office.

- Only 3/1 of NGOs think that registration office abides by legal requirements when it comes to reviewing the paperwork for registration. 45% of NGOs assess the area of work done by registration office as “bad”, and 22% of NGOs assessed it as “very bad”.

- Large majority of NGOs (81%) does not trust that registration office is unbiased. Only 19% of NGOs assess the unbiased work registration office as “good” and “very good”.
- As for evaluating the status of communicating with the Ministry of Justice on the registration issues, 50% of NGOs voiced their discontent with the level of interaction.

**19.** Six NGOs (6%) sued the decisions by the Ministry of Justice to issue a denial for registration. 3/2 of them got registered. Claims by three NGOs were reviewed by a court of first appearance, and the court just supported one of them by issuing a decision to register it. Other claim was terminated based on the mutual consent between the parties, and the NGO was registered. In third case, the court turned the claim down. Another association appealed the case, and the court made a decision to deny the registration for the association. The Supreme Court cancelled a decision by the below court, and re-submitted the case for review to the same court. As for NGO that took the case to the European Court on Human Rights, the case was terminated based on mutual consent between the parties and the NGO was registered. (Table 6.)

Name of the court	Number of NGOs	Status of the judicial review for the claim	Status of registration
Court of first appearance	1	Court turned down to review the case.	Not registered
Court of first appearance	1	Court issued a decision with regard to the registration of association.	Registered
Court of first appearance	1	Court terminated the case based on the accommodation between the parties.	Registered
Appeals Court	1	Court did not support the claim by association to register.	Not registered
Supreme Court	1	Court cancelled a decision by the below court, and re-submitted the case for review to the same court.	Registered
European Court	1	Case was terminated based on the consent between the parties.	Registered

## V. CONCLUSIONS

Analysis of legislation related to the state registration for legal entities, international practices, official reports, survey and interviews enable to identify the scope of problems with regard to the state registration for NGOs. Legal basis that adjusts the state registration for NGOs and the current registration practices have a negative impact on the NGO registration because of its lack of clarity and restrictions. The steadily declining curve observed in some NGOs registered over the past years is mainly attributable to the hardships of the state registration. The status of NGO registration is not in line with global human calls to launch initiatives by citizens' rights to union and empowering civil society. Hence, by summarizing information from studies and survey conclusions, one can come to the following conclusions with regard to the issue of the registration for NGOs in Azerbaijan:

1. Criteria not enshrined by laws are enforced during the registration process. Generally, characteristics on a series of features does not fully cover the current situation of Azerbaijani NGOs. For example, although most NGOs operate across the whole nation, as a comparison with regional and local associations, the number of registered associations among them is low. In spite of the fact that most NGOs deal with human rights, democracy, social and economic development, the number of registered ones among them is most low. It leads to believe that while making a decision to register or to deny the registration, the registration office is guided by criteria not enshrined in the legislation. This fact results in discrimination. Hence, there is an impression that NGO registration process is subject to some dominant political considerations. The issue of the state registration becomes a control mechanism to direct the civil society development.
2. Paperwork verification is not in line with the legislation. Registration office of does not register NGOs due to identifying adjustable and slight shortcomings in their constituent documents as a strong pretext for registration denial (in general, the ratio of such shortcomings that serve as a reason for denial for the associations is 83%). Registration officials say that shortcomings are not in line with the Constitution of Azerbaijan, Article 11.3.1 of the Law, and other legislative acts. Interpreting them as a root cause for denial is not understandable. For instance, one of the founders "indicated his father's name in the application for registration which was different from the name on his ID card". This fact can not be assessed as a contradiction between the paperwork and the Constitution and other legislative acts and viewed as a legal ground to restrict citizens' rights to union. In the meantime, if they approach the paperwork review process in a positive and constructive way, the afore-mentioned shortcomings are easy to attribute to "the shortcomings that do not cause denials for registration" enshrined by Article 8.3 of the Law on the state registration and the state registry of legal entities.
3. Every denial for the registration generates new grounds not to register. Shortcomings in the registration paperwork identified by Article 8.3 of the Law on the state registration and the state registry of legal entities are not notified in a

timely manner and NGOs seeking the state registration get different excuses for not registering them or reply letters informing them about the return of their paperwork. This indicates that either the registration office does not fully verify the submitted paperwork by referring to the law or intentionally fails to inform about the shortcomings they found. In any case, this is not in line with the state registration by registration office that verifies the paperwork and it apparently creates an impression that these efforts lead to the denial to register. In this regard, NGOs have to spend lots of time and years to re-submit their applications for the registration. It not only makes the registration process lengthy and exhausting, but also keeps many associations away from applying. Some associations even do not apply for registration due to these problems and causes.

4. Paperwork verification and notification about the decisions are not in line with timeframes. Each out of two associations that applies for the registration can not get the response within the time period established by law (10 days after completing paperwork review). Part of them did not get any response from the registration office at all. In many cases, although the registration office provides a denial decision for registration within the time period established by law, the relevant notification for applicants comes very late. This makes them to sue the slow-down of decisions. In some cases, time lines for NGO's paperwork verification have surpassed, and founders were informally invited to the office of registration where they were promised to get a registration and suggested to update the application date.
5. Decisions to extend the paperwork verification are baseless and get repeated many times. More than half of NGOs saw a 30 days extension for the paperwork verification under the pretext of additional review. Each out of 5 associations faced an extension for paperwork verification two or three times. Failure by the registration office to identify all the shortcomings in the paperwork by extending review period and finding the grounds for denial in the same documents set wondering. As the Article 8.2 of the Law provides for extension of paperwork review, the excuses are not used for exceptional cases. On the other hand, since the law does not have specific limits to impose time extension and "exceptional cases", it becomes a slow-down leverage in many cases.
6. NGOs have to change name, scope of work and purpose to secure the registration. Most NGOs think that they get denials for registration due to this fact. NGO founders are invited to the Office without any legal requirements and they get "counselling sessions and advices" to change names, scope of work and charter goals. Some NGOs were able to secure their registrations after implementing informal recommendations.
7. Requirements not enshrined by laws. Registration office wants founders to submit information about their employment and political affiliation. On the other hand, NGOs are required to provide letters of assurance from executive committees to get registered. Not all the founders are able to secure such a letter.

8. Centralized registration impedes communication between applicants and the registration office. It creates additional problems for NGO founders in the regions.
9. Other violations. Paperwork for NGO registration is received officially, and a certain time later, a denial for the registration is issued under the pretext of not submitting the paper; In some cases, registration office refers to losing the whole paperwork or separate documents, and they are asked to re-submit them.
10. Local courts do not act as a legal protector for the associations that sue their denials for the registration. In most cases, courts do not look into the cases in a fair and unbiased manner. One-sided view is manifested and denial decisions for the registration by the office of registration remain valid and effective.